

**Remarks**

Applicants respectfully request reconsideration of the present application in view of the above amendment and following remarks. Claim 21 has been amended. No claims have been added or cancelled. Therefore, claims 1-21 are pending in the present application.

Claim 21 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,058,895 to Hermesen ("the Hermesen reference"). Applicants respectfully traverse this rejection.

Amended claim 21 is directed to a variable valve actuation mechanism including a control shaft assembly, a body and a spring. The control shaft assembly is pivotable relative to a pivot axis and the body is pivotally disposed on the at least one control shaft assembly. The body includes an input cam follower and at least one output cam surface. The input cam follower is configured for engaging an input cam lobe and the at least one output cam surface is configured for engaging a corresponding output cam follower. Further, the at least one output cam surface comprises a base circle portion and a lift portion. The spring engages the body for biasing the input cam follower into engagement with the input cam lobe.

None of the references of record teach or suggest a variable valve actuation mechanism including at least one output cam surface comprising a base circle portion and a lift portion as recited in claim 21. In rejecting claim 21, the Examiner stated that the piston-shaped transmission element (17.2) in the Hermesen reference included an output cam surface. See *Office Action*, pg. 2. However, the surface of the transmission element (17.2) that comes into contact with the shaft (8) is flat and

does not include a base circle and a lift portion. For at least this reason, Applicants submit that the Hermesen reference does not teach or suggest all of the limitations in claim 21. As such, Applicants request that the rejection of claim 21 be withdrawn.

Applicants acknowledge the allowance of claims 1-20.

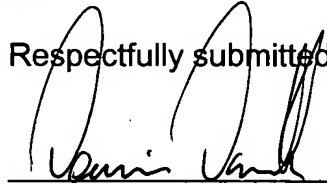
**Conclusion**

In light of the foregoing, Applicants submit that claims 1-21 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below to arrange for an issue resolving conference.

Applicants do not believe that any fee is due at this time, however, the Commissioner is hereby authorized to charge any fee that may have been overlooked to Deposit Account No. 10-0223.

Dated: 12/28/04

Respectfully submitted,



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